

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Fifth Judicial District Court, County of Beaverhead

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-14-3596
-vs-)	
)	DECISION
SANDRA LEE ANN CANTRELL,)	
)	
Defendant.)	

On September 27, 2016, the District Court sentenced the Defendant as follows:

Count II: A commitment to the Montana State Women's Prison for a period of twenty (20) years, with ten (10) years suspended, for the offense of Assault with a Weapon, a Felony, in violation of §45-5-213, MCA; Count III: A commitment to the Montana State Women's Prison for a period of ten (10) years, to run consecutive to Count I, for the offense of Tampering With or Fabricating Physical Evidence, a Felony, in violation of §45-7-207(1)(a), MCA.; and Count IV: A commitment to the Beaverhead County Jail for a period of six (6) months, to run concurrent to Count II and II, for the offense of Theft, a Felony, in violation of §45-6-301(1)(a), MCA. Overall, the Court sentenced the Defendant to serve thirty (30) years at the Montana State Women's Prison, with ten (10) years suspended, and granted credit for 779 days time served in the Beaverhead County Jail.

On April 7, 2017, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 7th day of April, 2017.

DATED this 26 day of April, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson



Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 27 day
of April, 2017, to:

Clerk of District Court (Original)
Sandra Lee Ann Cantrell #3018512, Defendant (2)
Hon. Loren Tucker
Peter Ohman, Defense Counsel
Jed Fitch, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division